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EXAMINER
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THIER, MICHAEL

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/036,667

Applicant(s)

GALLANT ET AL.

Examiner

Michael T. Thier

Art Unit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-64, 66-68 and 75-80 is/are pending in the application.
- 4a) Of the above claim(s) 18-26 and 52-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 27-51, 61-64, 66-68, and 75-80 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/29/06, 4/17/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 18-26 and 52-60 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/2/05.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-5, 9-10, 61, 75, 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454).

Consider claims 1, 5, 61, 75, 80. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach challenge

a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); authenticating the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and comparing the second authentication result to the first authentication result (i.e., the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose mentioned above.

Consider claim 4. Riggins further teaches the step of authenticating includes performing a calculation using a hash algorithm (column(s) 10, line(s) 62 through column(s) 11, line(s) 13).

Consider claims 9-10. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

4. Claims 2-3, 6-8, 11-14, 27-29, 31-32, 34-37, 62-63, 76-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454) and further in view of Faccinn et al (US2002/0127995).

Consider claims 2-3, 11, 27-29, 31-32, 36-37, 62-63, and 76-78. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication

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result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); authenticating the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and comparing the second authentication result to the first authentication result (i.e., the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose mentioned above.

D'Amico in view of Riggins does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

Faccinn teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (the use of call ID for charging coordination; paragraph(s) 0023-0026, 0064, 0096, and 0097).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Faccinn into the teachings of D'Amico in view of Riggins for the purpose of billing IP based telephone call.

Consider claims 6-8, 12-14, and 34-35. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

5. Claims 15-17, 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454) as applied to claims 1, 61 above, and further in view of Innes (6,687,743) or Hesselink et al (6,499,054) or Eastman (6,907,032).

Consider claims 15-17, 64. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the

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server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Hesselink teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (see figure(s). 2, source ID; column(s) 5, line(s) 4-46) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Eastman teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (originating\_server\_ID; column(s) 10, line(s) 8 through column(s) 13, line(s) 22) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes or Hesselink or Eastman into the teachings of D'Amico in view of Riggins for the purpose mentioned above.

6. Claims 30, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454) and Faccinn et al



(US2002/0127995) as applied to claims 28, 31 above, and further in view of Fletcher et al (H1897).

Consider claim 30, 33. D'Amico in view of Riggins and Faccinn does not teach transmitting at least one call statistic to a network management system.

Fletcher teaches transmitting at least one call statistic to a network management system (col. 2, ln. 11-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Fletcher into the teachings of D'Amico in view of Riggins and Faccinn in order to provide operations and maintenance functions, both radio and switch related, using one system. This reduces overall system costs and increases.

7. Claims 38-42, 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Innes (6,687,743) or Hesselink et al (6,499,054) or Eastman (6,907,032), in further view of Faccinn et al. (US 2002/0127995).

Consider claims 15-26, 38-42. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the

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authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Hesselink teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (see figure(s). 2, source ID; column(s) 5, line(s) 4-46) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Eastman teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message

(originating\_server\_ID; column(s) 10, line(s) 8 through column(s) 13, line(s) 22) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes or Hesselink or Eastman into the teachings of D'Amico in view of Riggins for the purpose mentioned above. However, Innes, Hesselink, and Eastman do not specifically teach the SIP protocol and receiving a SIP call request message.

Faccinn teaches a billing method and system which uses the SIP protocol and receiving a SIP call request message in paragraph 24.

Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to utilize the SIP protocol with call request messages of Faccinn with the teachings of D'Amico, Riggins, and Innes or Hesselink or Eastman. The motivation for doing so would have been to allow for joint billing for GPRS services and IP telephony services (Faccinn par. 14).

8. Claims 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Innes (6,687,743).

Consider claims 66-68. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-

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26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes into the teachings of D'Amico for the purpose mentioned above.

9. Claims 43-44, 47-51, 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and Hluchyj et al (6,282,193).

Consider claims 43, 50-51, 79. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). Jordan teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself (page(s) 3, ¶ 0035 through page(s) 5, ¶ 0052, table 1) for the purpose of preventing clip on fraud using telephone authentication (page(s) 1, ¶ 0002).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Jordan into the teachings of D'Amico for the purpose mentioned above.

D'Amico in view of Jordan does not teach a SIP server.

Hluchyj teaches the use of packet network server that reads on the SIP server (col. 3, ln. 58 to col. 4, ln. 67; col. 6, ln. 50-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hluchyj into the teachings of D'Amico in view of Jordan in order to reduce long distance or toll charge to the subscribers.

Consider claim 44. D'Amico further teaches the server transmits the call request message to the gateway if the client billing tag is obtained, and does not transmit the call request message to the gateway if the client billing tag cannot be obtained (col. 30, ln. 45 to col. 31, ln. 21).

Consider claim 47. D'Amico's col. 28, ln. 1-16 reads on the limitations of this claim.

Consider claims 48-49. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

10. Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and Hluchyj et al (6,282,193) as applied to claim 43 above, and further in view of Faccinn et al (US2002/0127995).

Consider claim 45. D'Amico in view of Jordan and Hluchyj does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

Faccinn teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (the use of call ID for charging coordination; paragraph(s) 0023-0026, 0064, 0096, and 0097).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Faccinn into the teachings of D'Amico in view of Riggins and Hluchyj for the purpose of billing IP based telephone call.

Consider claim 46. D'Amico's col. 28, ln. 48-60 reads on the limitations of this claim.

### ***Response to Arguments***

11. Applicant's arguments filed 4/26/2006 with respect to claims 1-37, 43-64, and 75-80 have been fully considered but they are not persuasive, a response to these arguments follows. With respect to the arguments for claims 38-42 and 66-68, the arguments are persuasive and a new rejection has been made in this action for these claims.

**Applicant requested the restriction requirement be withdrawn, assuming the examiner had reconsidered the restriction requirement since the claims were rejected in the previous office action.**

In response to applicant's request, the restriction requirement has not been removed. The claims were withdrawn from consideration in the non-final office action dated 2/1/2006. The examiner merely forgot to remove the claims, which had been

withdrawn, from the rejection. The examiner previously responded to the argument of the restriction being improper as follows:

In response to applicant's arguments regarding claims are never species and the Office Action's apparent designation of these claims as species is improper.	The examiner agrees that claims are definitions of inventions. Claims are never species. However, the scope of a claim may be limited to a single disclosed embodiment (i.e., a single species, and thus be designated a specific species claim). Therefore, claims 18-26 and 52-60 are species claims.
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**Applicant further argues that the rejection of claim 76 was improper and assumes the claim was to be rejected based on D'Amico et al., Riggins, and Faccinn et al. The applicant requested clarification on this matter.**

In response to applicant's request, the assumption made is correct. A mere typographical error was made, and claim 76 is rejected based on D'Amico et al., Riggins, and Faccinn et al., as being dependent upon claim 27. The rejection of claim 76 has been corrected in this non-final office action.

**Applicant further argues, "D'Amico and Riggins do not disclose or suggest searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if**



**the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained.”**

In response to applicant's arguments, the examiner respectfully disagrees. This limitation being argued can be understood more clearly from column 28 lines 1-10, 30-34, and 45-47. For example, the claim recites, "...searching a database to find a predetermined client billing tag corresponding to the authentic originating client..." This limitation is read on by the idea of the "Very Important Person" (VIP) table, which has been previously established (i.e. the numbers are stored in some type of database at the ISCP (intelligent services control point) as a table, or list, of VIP members). It is explained that when a call is to be placed, it is then determined if the calling party is listed in the table of VIP's. The reason the numbers listed in the VIP list are understood as a client billing tags, is that based on whether or not the originating caller is on this list, i.e. has a VIP tag, it is determined who will pay for the call, i.e. the calling party or the called party (to further clarify, if the calling party is on the VIP list, then the called party will pay, if not the call may be terminated as explained in the following, therefore the VIP list determines what party is billed, which clearly reads on billing tag). Next, the claim recites, "...whereby the call is authorized to be completed if the client billing tag is obtained..." This is clear from column 28 lines 5-7 where it is explained that if the number of the calling party is listed in VIP table, i.e. has a VIP tag, then the call is put through and the called party is charged (i.e. the call is authorized). Lastly, the claim recites, "...the call is not authorized to be completed if the client billing tag is not obtained..." In column 28 lines 30-34 and 45-47 it is shown that if the number of the

calling party is not found in the list of VIP's the call can then be routed to voice mail or simply terminated (i.e. not authorized).

**Applicant further argues, "Examiner's motivation statement falls short of establishing a prima facie case of obviousness with regard to claim 1."**

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it was previously shown that the motivation to combine Riggins with D'Amico was to aid in "securing access to services in a computer network". Riggins was combined with D'Amico in order to show the obviousness of "...challenging a device and authenticating the call request message..." The authentication process is well known in the art to allow for securing access to networks, data content, etc., which is shown in Riggins on column 1 lines 25-27. Since the combination was for a method of security, and not the specifics of the network, the motivation is clearly relevant.

**Applicant further argues, "The Examiner did not address the features of claim 5 and, therefore, did not establish a prima facie case of obviousness..."**

In response to applicant's arguments, the examiner respectfully disagrees. This limitation is understood from column 28 lines 1-15. For example, a subscriber, or called

party, registers numbers into a table. This table is a profile including information corresponding to at least one calling feature activated by the second client (i.e. called party). When a caller attempts to call the subscriber, their number is checked against the numbers in the table to determine if the calling party is in the list (i.e. or profile). If the caller is in the list, then the called party will pay for the call. If the calling party is not on the list, they can be prompted to whether or not they would like to pay or the call can be automatically terminated. The determination of whether the called or calling party will pay is the calling feature activated by the second client, since they are the one who creates the VIP table, or profile from which the feature stems.

**Applicant further argues “Riggins does not disclose or suggest performing a hash function based on a username and password...the examiner did not address the features of claim 75 and, therefore, did not establish a prima facie case of obviousness.”**

In response to applicant's arguments, the examiner respectfully disagrees. This limitation was addressed previously as shown in Riggins in column 10 line 62 through column 11 line 13, the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user. Specifically see column 11 lines 5-12, where it is also explained that the use of the user's password, hash of the user's password or user's public keys to verify the identity of the user, is just an example of such user information (i.e. “For example, the global server 920 may retrieve and use user's information 960 such as the user's password, hash of the user's

password or user's public keys") Therefore, the limitation can be read on by this reference.

**Applicant further argues, "Examiner's motivation statement falls short of establishing a prima facie case of obviousness with regard to claim 27."**

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the examiner combined Faccinn with D'Amico and Riggins to show the obviousness of inserting a client billing tag into a call request, and transmitting the call request to the gateway. The motivation was to allow for billing IP based telephone calls. Although the applicant argues "...combining the disclosure of inserting a client billing tag into a call request message....into the cellular communication system of D'Amico would not facilitate billing of IP bases telephone calls...", the examiner respectfully disagrees. The examiner was asserting that the D'Amico reference taught regular billing methods, while Faccinn taught billing of IP type calls. The teachings of Faccinn into D'Amico would allow for billing of IP type calls in the D'Amico system, thus the motivation "to allow for billing IP based telephone calls" is relevant.

**Applicant further argues, D'Amico et al., Riggins, and Faccinn et al. do not disclose or suggest evaluating at least one calling feature in a profile of the second client or determining an authentic originating client based on the at least one calling feature and the authentication result, as recited in claim 31.**

In response to applicant's arguments, the examiner respectfully disagrees. This limitation is understood from column 28 lines 1-15. For example, a subscriber, or called party, registers numbers into a table. This table is a profile including information corresponding to at least one calling feature activated by the second client (i.e. called party). When a caller attempts to call the subscriber, their number is checked against the numbers in the table to determine if the calling party is in the list (i.e. or profile, which means the check determines the authentic originating client if their number is on the list. The originating client, or caller, is determined using the VIP list-calling feature, which checks their number with the numbers in the list, this reads on authenticating the caller based on a calling feature and an authentication result). If the caller is in the list, then the called party will pay for the call. If the calling party is not on the list, they can be prompted to whether or not they would like to pay or the call can be automatically terminated.

**Applicant further argues, D'Amico et al., Jordan, and Hluchyj et al. do not disclose or suggest a "SIP server configured to challenge a device that originated the call by requesting the device to authenticate itself, whereby the device performs a first authentication process based on a username and password associated with the device to generate a first authentication result as a result of**

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**authenticating itself, or process a SIP call request message received from the first client to determine an authentic originating client by performing a second authentication process based on the username and the password associated with the device to generate a second authentication result and comparing the second authentication result with the first authentication result.”**

In response to applicant's argument, the examiner notes that this argument does not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

**Applicant further argues, D'Amico et al., Jordan, and Hluchyj et al. do not disclose or suggest a “gateway coupled to the SIP server, the network gateway being configured to provide at least one of the first client and the second client conditional access to a public switched telephone network as further recited in claim 43.”**

In response to applicant's argument the examiner respectfully disagrees. The previous rejection combined the Hluchyj reference to show the limitations of the SIP server, which can be seen in figure 3 as item 30 (remote access server) and column 3 line 58-column 4 line 23. He explains that the server can be used with protocols such as SIP, which thus the server can be read on an SIP server. Also see in figure 3 the server, 30, is clearly coupled to the gateway, GW. The gateway in Hluchyj is shown connected

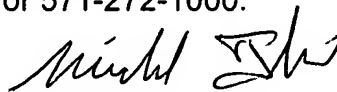
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to the end office, EO, which shows phones and computers, which thus would allow for access to a PSTN.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Thier whose telephone number is (571) 272-2832. The examiner can normally be reached on Monday thru Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Michael T Thier  
Examiner  
Art Unit 2617

7/5/2006

GEORGE ENG  
SUPERVISORY PATENT EXAMINER